IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL MISC. APPEAL No. 79 of 2005

NATIONAL INSURANCE CO.LTD. JODHPUR
V/S
SMT.KAMALA & ANR.

Mr. JAGDISH VAYS, for the appellant / petitioner

Date of Order : 21.2.2005

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the appellant.

The only contentions raised are that the Tribunal has erred in finding the accident to be out-come of negligent driving of the Motor Cyclist, and that the amount awarded & the interest awarded is excessive. Suffice it to say, that admittedly the appellant was not given permission under Sec. 170 of the Motor Vehicles Act. In that view of the matter, all these contentions are not open to the Insurer.

The appeal is, therefore, dismissed summarily.

(N P GUPTA),J.

/Srawat/